

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARTIN LEWIS,

Petitioner,

v.

Case Number: 2:14-CV-12023

JOE BARRETT,

Respondent.

ORDER OF DISMISSAL WITHOUT PREJUDICE

Petitioner Martin Lewis filed a *pro se* habeas case corpus petition under 28 U.S.C. § 2254. The court issued an “Order to Correct Deficiency” because Petitioner failed to submit either the \$5.00 filing fee or a certified trust account statement for the 6-month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915. The court ordered Petitioner to correct the deficiency within twenty-one days and cautioned that failure to do so could result in dismissal of the petition. The order was returned to the court as undeliverable. (Dkt. # 4.) A few weeks later, Petitioner notified the court that he had been transferred to a different facility. (Dkt. # 5.)

To ensure that Petitioner received adequate notice of the deficiency, the court issued a second “Order to Correct Deficiency,” again requiring the deficiency to be correct within twenty-one days. Petitioner has not corrected the deficiency and the time for doing so has expired.

IT IS ORDERED that the petition for a writ of habeas corpus (Dkt. # 1) is
DISMISSED WITHOUT PREJUDICE.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 29, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 29, 2014, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522